



**JASPER COUNTY COUNCIL
J.C. GOVERNMENT BLDG.
358 3RD AVE., RIDGELAND, SC**

**COUNCIL CHAMBERS
SEPT. 2, 2014
Minutes**

OFFICIALS PRESENT - Vice Chairman L. Martin Sauls, IV, Councilman Henry Etheridge, Councilman Theodus Drayton, Councilman D. Thomas Johnson

OFFICIALS ABSENT - Chairwoman Barbara Clark

STAFF PRESENT - Administrator Andrew Fulghum, Clerk to Council Judith Frank, Attorney Marvin Jones, Director of Administrative Services Ronnie Malphrus, Director of Emergency Services Wilbur Daley

STAFF ABSENT- Planning Director LeNolon Edge, Director of Engineering Services Dale Terry

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased.

Call to Order- Vice Chairman Sauls called the meeting to order at 4:30 p.m.

Executive Session - Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Contractual Matters – Councilman Drayton moved and Councilman Johnson seconded the motion to go into executive session for the discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Contractual Matters. The motion carried with all members present voting in favor.

5:30 P.M. – Dinner Break

6:30 P.M.

Call to Order – Vice Chairman Sauls called the meeting to order at 6:30 p.m.

Pledge of Allegiance- Councilman Drayton led the Pledge of Allegiance.

Invocation – Councilman Etheridge gave the invocation.

Approval of the Minutes of the 08/12/2014 and 08/18/2014 Council Meetings – Councilman Etheridge moved and Councilman Drayton seconded the motion to approve the minutes of the

8/12/2014 and 08/18/2014 Council Meetings. The motion carried with all members present voting in favor.

Approval of the Agenda – Councilman Drayton moved and Councilman Etheridge seconded the motion to approve the agenda. The motion carried with all members present voting in favor.

Presentations- There were no presentations.

Ordinances

Marvin Jones – 2nd Reading of the Ordinance to create certain limitations on transportation of electrical wire and other building materials, to create offenses related thereto and to establish penalties- Mr. Jones informed the Council that the State has adopted legislation that amended 16-17-680 which covers everything included in the ordinance under consideration although the amendment is not on the books yet. Mr. Jones said that due to this legislation, the County's ordinance is not needed and no action was needed.

Marvin Jones – 2nd Reading of the Ordinance to provide for the installation of certain infrastructure at The Settings of Mackay Point; to make certain findings in connection therewith; to create The Settings Infrastructure Special Fund; to make appropriations from The Settings Infrastructure Special Fund; to provide for the carryover of The Settings Infrastructure Special Fund balances; to provide for the disbursement of said funds; to provide that disbursements shall be made by the County Treasurer; to provide an affirmation of certain previous obligations and expenditures; to provide that expenditures shall not exceed appropriations; to provide that the Treasurer shall sign checks; to provide for the invalidity of any portion of the Ordinance; and to provide an effective date- Mr. Jones said the County received funds from the bonds and that this ordinance sets up the financial structure to take care of things and a financial means of disbursing the funds. Mr. Jones said that the engineers would need to do a new assessment. Councilman Etheridge said that the funds for the work that needed done would be paid for from the bond funds and he would never vote to use taxpayer's money for this project. Attorney Jones said that public money cannot go into the project, but they would do the best job possible with what they have. Councilman Etheridge moved and Councilman Drayton seconded the motion that this be the 2nd Reading of the Ordinance to provide for the installation of certain infrastructure at The Settings of Mackay Point; to make certain findings in connection therewith; to create The Settings Infrastructure Special Fund; to make appropriations from The Settings Infrastructure Special Fund; to provide for the carryover of The Settings Infrastructure Special Fund balances; to provide for the disbursement of said funds; to provide that disbursements shall be made by the County Treasurer; to provide an affirmation of certain previous obligations and expenditures; to provide that expenditures shall not exceed appropriations; to provide that the Treasurer shall sign checks; to provide for the invalidity of any portion of the Ordinance; and to provide an effective date. The motion carried with Vice Chairman Sauls, Councilman Etheridge and Councilman Drayton voted for; Councilman Johnson abstained.

Andrew Fulghum – 2nd Reading of the Ordinance to amend the FILOT agreement with Riverport – Mr. Fulghum said the terms of the agreement were listed on page 4 of the

agreement. Mr. Fulghum said the staff was requesting approval of the agreement. Mr. Blakely said he appreciated the Council's support and that time was lost due to the recession, but they wanted to move forward and put the project in place and be competitive. Vice Chairman Sauls thanked Mr. Blakely for his investment in the County. Councilman Drayton said that he agreed with Vice Chairman Sauls and the Council knows that the developers are not all talk. Councilman Drayton moved and Councilman Etheridge seconded the motion that this be the 2nd Reading of the Ordinance to amend the FILOT agreement with Riverport. The motion carried with all members present voting in favor.

Resolutions – There were no Resolutions.

Old Business- Ronnie Malphrus- Consideration of approval of Residential Exemption Audit Contract- Mr. Malphrus explained that the contract proposal was for a residential exemption properties audit. Mr. Malphrus said the company would investigate the properties to make sure taxes were being recorded correctly. Mr. Malphrus said that if a person was paying 4% and they should be paying 6%, they would be rebilled for 2 years at 6% and the 4% they already paid would be considered a penalty. Councilman Etheridge moved and Councilman Drayton seconded the motion to table approval of the contract. The motion carried with all members present voting in favor.

New Business - There was no New Business.

Committee Reports- Councilman Drayton reported he attended the School Board Meeting and a Meeting in Robertville to brief the citizens what has happening in the County. Councilman Drayton said that Hwy. 321 was a big issue with the citizens in Robertville. Councilman Drayton said that the County lobbied the State to get it fixed, but Mr. Russell, SCDOT local representative said that Hwy. 278 was the State's main priority in Jasper County. Councilman Drayton said the State plans to patch Hwy. 321. Councilman Johnson said several citizens have contacted him about Hwy. 321 and that Hwy. 321 serves a purpose that no other road does and he hoped the State would do something. Councilman Johnson reported he attended an event at Parris Island and discussed how Jasper County is the place for them to locate. Councilman Johnson said that he met with Senator Davis and Mr. Fulghum concerning the Port. Councilman Etheridge also discussed the State of the Port meeting on Sept. 8, 2014 in Charleston. Councilman Etheridge said they have been given high hopes at the last meeting and he felt that permits should be issued by 2015. Councilman Etheridge said that Hwy. 17 also is an issue and the funding. Councilman Etheridge said that there will be a meeting at LCOG on Sept. 17, 2014 from 5:30 p.m. to 6:30 p.m. regarding this matter. Vice Chairman Sauls said he met with Mr. Black and Mr. Richardson and discussed projects and an announcement may be forthcoming. Vice Chairman Sauls announced upcoming events being held by the Chamber of Commerce.

Administrator's Report- Mr. Fulghum said he provided his progress report and administrator's report and he discussed the grant for the New Runway Project. Mr. Fulghum said the FAA offered a grant in the amount of \$666,667 and it requires the County to spend \$91,252 and the County will be reimbursed. Councilman Johnson moved and Councilman Drayton seconded the

motion to accept the grant in the amount of \$666,667 and to spend the \$91,252 with the understanding that 95% would be reimbursed. The motion carried with all members present voting in favor.

Open Floor to the Public- Per ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes- Mr. Youmans discussed minority business participation within the community. Mr. Youmans provided a definition of minority business owners. Mr. Youmans requested that minority businesses have an opportunity for County procurement and that a plan be developed and assign a person to monitor it. Vice Chairman Sauls asked Mr. Youmans to provide the Administrator with the information he discussed.

Adjourn- Councilman Etheridge moved and Councilman Etheridge seconded the motion to adjourn. The motion carried with all members present voting in favor.

The meeting ended at 7:10 p.m.

Respectfully submitted by:

Approved by:

Judith M. Frank, ccc

L. Martin Sauls, IV

Clerk to Council

Vice Chairman